

EXHIBIT 91
FILED UNDER SEAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,)
)
Plaintiff,)
vs.) Case No.
17-cv-00939-WHA
UBER TECHNOLOGIES, INC.;)
OTTOMOTTO, LLC; OTTO TRUCKING LLC,)
)
Defendants.)

ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF
SAMEER KSHIRSAGAR
San Francisco, California
Friday, April 14, 2017
Volume I

Reported by:
MARY J. GOFF
CSR No. 13427
Job No. 2594019
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RED = HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

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WAYMO LLC,)
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_____)

Videotaped Deposition of SAMEER KSHIRSAGAR,
Volume I, taken on behalf of Plaintiff, Waymo LLC,
at Quinn Emanuel Urquhart & Sullivan, LLP,
50 California Street, 21st Floor, San Francisco,
California 94111, beginning at 8:58 a.m. and ending
at 9:45 a.m. on Friday April, 14, 2017, before MARY
GOFF, Certified Shorthand Reporter No. 13427.

1 Q Mr. Levandowski writes, Let's make sure we 09:25
2 get the good concentrations of erbium and ytterbium
3 from [REDACTED].

4 Do you see that?

5 A Yes. 09:25

6 Q Did you understand Mr. Levandowski to be
7 referring to levels of ion doping of the optical
8 fiber to be used with the lasers?

9 MR. PUNZALAN: Objection --

10 MS. PHILLIPS: Objection -- 09:25

11 MR. PUNZALAN: -- form.

12 MS. PHILLIPS: -- form.

13 A I believe that comment was for -- for
14 James. I'm not sure what those things are, but...

15 Q You're not sure what erbium and ytterbium 09:25
16 are?

17 A Correct. That -- that's not normal. I'm
18 -- I'm sure I would have -- I -- I -- I don't know
19 who that comment was directed to. James is on this
20 as well. 09:26

21 Q Are you aware whether, as part of the
22 Spider LiDAR system, there were ion doped optical
23 fibers used with the lasers?

24 MR. PUNZALAN: Objection, form.

25 MS. PHILLIPS: Objection, form. 09:26

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1 A I -- yes. Yeah. 09:26

2 Q (BY MS. BAILY) Do you understand what

3 concentrations of ion doping Otto wanted for those

4 fibers?

5 MR. PUNZALAN: Objection, form. 09:26

6 MS. PHILLIPS: Objection, form.

7 A No.

8 Q Who would know that?

9 A James.

10 Q James who? 09:26

11 A Haslim.

12 (Exhibit 12 was marked for identification

13 and is attached to the transcript.)

14 Q I'm showing you Exhibit 12. This is

15 E-mail correspondence between you and 09:27

16 Mr. Levandowski and others. Do you see that?

17 A Yes.

18 Q You forwarded a data sheet for an [REDACTED]

19 micro EDFA to Mr. Levandowski for his review and

20 comment; is that a fair characterization of this 09:27

21 document?

22 MR. PUNZALAN: Objection, form.

23 A Is -- is this what you're referencing?

24 Q I'm representing -- I'm referencing you

25 forwarding what appears to be a spec sheet for the 09:27

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1 [REDACTED] micro EDFA. 09:27

2 MR. PUNZALAN: Objection, form. Is that

3 --

4 MS. PHILLIPS: Objection, form.

5 MR. PUNZALAN: -- a question? 09:28

6 A I am not sure this is a spec sheet for

7 something they have. I think this was a spec sheet

8 for something he was looking for.

9 Q Understood. An EDFA is an Erbium Doped

10 Fiber Amplifier; is that correct? 09:28

11 MR. PUNZALAN: Objection, form.

12 A I don't know how to answer that when you

13 say it. And I can read the initials. And I would

14 say yes, I would not know how to describe that

15 before. 09:28

16 Q Was the interest in an EDFA -- strike

17 that.

18 Were you corresponding with

19 Mr. Levandowski about an EDFA for use in the LiDAR

20 spider system? 09:28

21 A I don't know what he wanted it for.

22 Q Were you aware that Otto was interested in

23 an EDFA for LiDAR purposes?

24 MS. PHILLIPS: Objection, form.

25 MR. PUNZALAN: Objection, form. 09:29

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1 A I -- I know they were interested in EDFA. 09:29

2 I don't know the reason.

3 Q You don't know for what product or

4 initiative?

5 A I -- I don't, no. 09:29

6 Q Why were you involved then?

7 A Because of a supplier --

8 MR. PUNZALAN: Objection, form. Go ahead.

9 A -- sorry. Because it was a supplier.

10 Q (BY MS. BAILY) Are you aware of the LiDAR 09:29

11 system called Fuji?

12 A Yes.

13 Q When did Fuji start development?

14 MR. PUNZALAN: Objection, form.

15 A I believe it was closer to the end of 09:29

16 October 2016.

17 Q Why did Otto and Uber move from Spider to

18 Fuji?

19 MS. PHILLIPS: Objection, form.

20 MR. PUNZALAN: Objection, form. 09:29

21 A Again, this was probably more for

22 technical reasons that I was not involved in it.

23 Q Do you have any understanding of why Otto

24 and Uber moved from Spider to Fuji?

25 MS. PHILLIPS: Objection, form. 09:30


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1      A      I -- maybe some base level.                                09:30
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2 Q And what -- what is that base level
3 understanding?

A The Spider was very large, and the Fuji
intent was to be something more manageable. But I
don't know the technical reasons beyond that.

09:30

7 Q Is there any other reason that you
8 understand that a move was made from Spider to Fuji?

9 MS. PHILLIPS: Objection, form.

10	A	No, I do not.	09:30
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11 Q You're not aware either way whether Fuji
12 uses an erbium doped fiber amplifier?

13 MR. PUNZALAN: Objection, form.

14 MS. PHILLIPS: Objection, form.

15 A I don't believe we used fiber on the Fuji. 09:30

16 Q I saw a reference in your documents to
17 [REDACTED] having to pass on Otto's module assembly
18 business. Do you know what that refers to?

19 MR. PUNZALAN: Objection, form.

20 MS. PHILLIPS: Objection, form. 09:31

21	A	Yes.
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22	Q	What does it refer to?
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23 A There was a -- a PO that was canceled.
24 This was prior to my arrival.

25	Q	And do you have an understanding as to why	09:31
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2
3
4 I, SAMEER KSHIRSAGAR, do hereby declare under
5 penalty of perjury that I have read the foregoing
6 transcript; that I have made any corrections as
7 appear noted, in ink, initialed by me, or attached
8 hereto; that my testimony as contained herein, as
9 corrected, is true and correct.

10 EXECUTED this _____ day of _____,
11 20____, at _____, _____.
(City) (State)

12
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14 _____
SAMEER KSHIRSAGAR
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